

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CITIZENS FOR PENNSYLVANIA’S
FUTURE, et al.,

Plaintiffs,

v.

ANDREW R. WHEELER,

Defendant.

Case No. 19-cv-02004-VC

**ORDER DENYING MOTION TO
TRANSFER**

Re: Dkt. No. 24

The EPA’s motion to transfer venue is denied. Particularly given that the case has now been teed up for prompt adjudication, it would be impractical to transfer the matter to federal court in Washington, D.C., not to mention unfair to the plaintiffs, who properly selected this forum. *See Decker Coal Co. v. Commonwealth Edison Co.*, 805 F.2d 834, 843 (9th Cir. 1986) (holding that the “defendant must make a strong showing of inconvenience to warrant upsetting the plaintiff’s choice of forum”). The EPA itself characterizes this case as presenting a discrete and straightforward legal question that can likely be resolved on cross-motions for summary judgment, presumably without requiring cross-country travel by any federal policymakers. Thus, the overall balance of the discretionary factors relating to transfer under 28 U.S.C. § 1404(a) cuts against the EPA’s motion. *See Atlantic Marine Construction Co. v. U.S. District Court for the Western District of Texas*, 571 U.S. 49, 62 n.6 (2013) (collecting factors).

IT IS SO ORDERED.

Dated: November 20, 2019



VINCE CHHABRIA
United States District Judge